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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,889	06/21/2000	Christopher Kershaw	SCHW-800-(US)	6362
29585	7590	07/11/2005	EXAMINER	
DLA PIPER RUDNICK GRAY CARY US LLP 153 TOWNSEND STREET SUITE 800 SAN FRANCISCO, CA 94107-1907			CHUONG, TRUC T	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/598,889

Applicant(s)

KERSHAW ET AL.

Examiner

Truc T. Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

PD

DETAILED ACTION

This communication is responsive to Amendment, filed 02/28/05.

Claims 1-15 are pending in this application. Claims 1, 7, 12, and 15 are independent claims. This action is made final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Claim Rejections - 35 USC § 102

1. Claims 1, and 3-15 are rejected under 35 U.S.C. 102(e) as being anticipate by Johnson et al. (U.S. Patent No. 6,067,525).

As to claim 1, Johnson teaches a method for comparing information from a plurality of items on a visual display (e.g., col. 4 lines 20-35, col. 5 lines 13-30, col. 12 lines 44-65, and figs. 3-4 & 8), comprising the steps of

(a) identifying with a common tag, passages in the information for each of the plurality of different items which relate to a category of information (a product module 402 is integrated to export a sample of any product information side-by-side with competitor's product information by inserting tags using the product module 402 and automatically inserted as a section of a proposal generated using the proposal module 412, e.g., col. 12 lines 43-65, col. 13 lines 25-26, col. 17 lines 13-17, 26-36, and col. 35 lines 13-15 and fig. 4);

(b) providing a different display area in the visual display for each of the plurality of different items (the competitive comparison module 420, also provides the ability to present the

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company's product information side-by-side with a competitor's product information, col. 12 lines 43-65 or col. 15 lines 58-67); and

(c) displaying in each of the display areas the passages from each of the plurality of different items which are identified by a designated common tag, so that the passages are observable at the same time (inserting the tags related to the product and only the selected information of that product will be displayed side-by-side with the competitor's product for comparing, col. 12 lines 43-65, and fig. 4, figs. 3-4 & 8, and col. 15 lines 58-67).

As to claim 3, Johnson teaches the method of claim 1 wherein the information about the plurality of different items is found in reports compiled for each of the plurality of items, and each of the common tags is an anchor link (inserting the tags related to the product and only the selected information of that product will be displayed side-by-side with the competitor's product for comparing, col. 12 lines 43-65, and fig. 4, figs. 3-4 & 8).

As to claim 4, Johnson teaches the method of claim 3 wherein the reports are compiled by an information server (a server-based back office system 200, col. 7 line 58-col. 8 line 21).

As to claim 5, Johnson teaches the method of claim 4 wherein the information server inserts the common tags into the reports (the tagged information product will be shown on the comparison module 420, col. 11 line 20-col. 12 line 65, and the customer information collected which can also be tagged and printed as a section of a proposal generated using the proposal module 412, col. 13 lines 24-35, figs. 3-4, 8, 15A-B).

As to claim 6, Johnson teaches the method of claim 4 wherein the information server is located remotely from the visual display (remote data source may be implemented in real-time

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utilizing two-way data sharing across a network communications provider, e.g., col. 11 lines 39-47).

As to claim 7, Johnson teaches a method of providing comparative information in an image displayed by a visual display about a plurality of different items, wherein information about the plurality of different items includes portions relating to common topics, and further wherein the portions on common topics are identified in the information by identifying tags (see claim 1 above), the method comprising the steps of

(a) providing a navigational frame in the displayed image (The salesperson is able to view guidelines and recommendations for each step, col. 21 lines 1-29, and col. 35 lines 25-49);

(b) providing a plurality of dynamic frames in the displayed image (e.g., col. 11 line 20-col. 12 line 65, col. 5 lines 13-30, col. 11 line 20-col. 12 line 65, and figs. 4, 15A-B);

(c) receiving in the navigational frame a user designation of the different items to be compared (e.g., col. 12 lines 43-65 or col. 15 lines 58-67);

(d) display simultaneously in each of the dynamic frames information about the different items designated to be compared (a product module 402 is integrated to export a sample of any product information side-by-side with competitor's product information by inserting tags using the product module 402 and automatically inserted as a section of a proposal generated using the proposal module 412, e.g., col. 12 lines 43-65, and fig. 4, or col. 15 lines 58-67).

As to claim 8, it can be rejected under similar rational as claim 7. Note the rejection of claim 7 above.

As to claim 9, Johnson teaches the method of claim 7 further including the step of compiling the information about the plurality of items in a server located remotely from the

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visual display (e.g., col. 11 lines 39-47, using different APIs in communications, col. 8 lines 22-44).

As to claim 10, Johnson teaches the method of claim 9 further including the steps of

(a) sending a request to the server for reports about the items designated in the navigational frame (the sales process is stored and retrieved for a database, e.g., col. 4 lines 28-36);

(b) compiling in the sever the requested reports (A report manager tool is also provided in the system administration subsystem 215 to handle audit reports, data books and other documents, e.g., col. 9 lines 31-38); and

(c) communicating the requested reports to the visual display (the tagged information product will be shown on the comparison module 420, col. 12 lines 43-65, and fig. 4, and the customer information collected which can also be tagged and printed as a section of a proposal generated using the proposal module 412, col. 13 lines 24-35, figs. 3-4, 8, 15A-B, e.g., col. 17 lines 15-38, and figs. 15A-C).

As to claim 11, Johnson teaches the method of claim 10 wherein the compiling step includes the step of assembling frames for the reports corresponding to each of the portions on the common topics (the tagged information product will be shown on the comparison module 420, col. 12 lines 43-65, and fig. 4, and the customer information collected which can also be tagged and printed as a section of a proposal generated using the proposal module 412, col. 13 lines 24-35, figs. 3-4, 8, 15A-B, col. 12 lines 43-65 or col. 15 lines 58-67).

As to claims 12-14, they are apparatus claims of method claims 7-8, and 10. Note the rejections of claims 7-8, and 10 above respectively.

As to claim 15, it is individually similar in scope to claim 10 above; therefore, rejected under similar rationale.

Claim Rejections - 35 USC § 103

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 6,067,525) in view of Freidman et al. (U.S. Patent No. 6,360,188 B1).

As to claim 2, Johnson teaches the method of claim 1 wherein the plurality of different items (see claim 1 above) and the information being compared is information (the competitive comparison module 420, also provides the ability to present the company's product information side-by-side with a competitor's product information, col. 12 lines 43-65 or col. 15 lines 58-67); however, Johnson does not clearly mention that the plurality items are investments. Freidman clearly teaches banking information and investments (col. 11 line 57-col. 12 line 63, and figs. 3-5, and 7C). It would have been obvious, at the time of the invention, a person with ordinary skill in the art would have the financial display features of Freidman's financial model in Johnson's system to provide more flexible ways in viewing data for users by using the direct graphical representation facilitates planning operations and enables accurate, rapid and easily understandable development of plans (Freidman, Abstract).

Response to Arguments

3. Applicant's arguments filed 02/28/05 have been fully considered but they are not persuasive.

Applicants argued and Examiner disagrees with the following reasons:

Johnson fails to teach the “common tag” that is used to identify passages in the information for each of the plurality of different items which relate to a category of information.

Johnson clearly teaches the specific types of information may be automatically tagged for inclusion in a presentation. The tag defines the type of product that the customer is interested in, and the tagged information can be generated and incorporated in both the proposal and presentation modules (e.g., col. 12 lines 62-65, col. 13 lines 25-26, col. 17 lines 13-17, 26-36, and col. 35 lines 13-15). As the result, it clearly means that the tag of information is used in Johnson to identify the specified types of product or categories of the plurality of different items/products as the “common tag” claimed by the applicant.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

07/05/05


BA HUYNH
PRIMARY EXAMINER